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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

THE UNITED STATES OF AMERICA,
Plaintiff,
vs.
CORNELL-DUBILIER ELECTRONICS, INC.,
Defendant.

Case No. 12-cv-05407 JLL-MAH

**DECLARATION IN SUPPORT OF
D.S.C. OF NEWARK ENTERPRISES,
INC.'S MOTION TO INTERVENE**

John A. McKinney, Jr., of full age hereby declare as follows:

1. I am an attorney-at-law of the State of New Jersey and a member of Wolff & Samson PC, attorneys for D.S.C. of Newark Enterprises, Inc. ("DSC"). As such I am personally familiar with the facts set forth herein. I submit this Declaration in support of DSC's motion to intervene in the above-captioned action.
2. Attached hereto at Exhibit A is a true and correct copy of the Complaint in this matter.
3. Attached hereto at Exhibit B is a true and correct copy of the Letter of Robert S. Sanoff, Esq. to Sarah P. Flanagan, Esq., U.S. Environmental Protection Agency ("EPA") dated December 13, 2004 ("Sanoff Letter"), without exhibits. The Sanoff Letter together with all exhibits is included within DSC's Federal Comments at Exhibit G hereto.

4. Attached hereto at Exhibit C is a true and correct copy of the "Notice of Potential Liability" from EPA to DSC dated February 4, 1997.

5. Attached hereto at Exhibit D is a true and correct copy of a "Report of Title" that contains a true and correct copy of the "Notice of Federal Lien – Record in Mortgage Book" dated January 25, 2005.

6. Attached hereto at Exhibit E is a true and correct copy of the Proposed Consent Decree.

7. Attached hereto at Exhibit F is a true and correct copy of the "Amended Notice of Lodging of Consent Decree under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. §§ 9601 *et seq.*," 77 Fed. Reg. 58409-58410 (September 20, 2012).

8. Attached hereto at Exhibit G is a true and correct copy of DSC's Federal Comments dated October 18, 2012.

9. Attached hereto at Exhibit H is a true and correct copy of the "Notice to Receive Interested Party Comments On Consent Decree for Reimbursement of Response Cost and Natural Resource Damages in Middlesex County, New Jersey Department of Environmental Protection v. Cornell-Dubilier Electronics LLC, Civil Action No. 12-5407 (D.N.J.)," 44 N.J.R. 2312(c) (October 1, 2012).

10. Attached hereto at Exhibit I is a true and correct copy of DSC's State Comments dated October 26, 2012. DSC's Federal Comments, which are referenced and incorporated within the State Comments but are not attached, appear at Exhibit G hereto.

11. Other than the filing of the Complaint, a notice of appearance by counsel to the United States and the Proposed Consent Decree on August 28 and the filing of the summons issued to CDE on August 29, no other events have occurred in this matter as of the date of this declaration.

Wolff & Samson PC
Attorneys for D.S.C. of Newark Enterprises, Inc.

By: /s/John A. McKinney, Jr.

John A. McKinney, Jr.

Dated: November 20, 2012